

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MICHAEL FOX,

Plaintiff,

v.

RYAN KIM, et al.,

Defendants.

NO. 1:20-cv-0290 NONE JLT (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS

(Doc. No. 17)

CASE TO REMAIN OPEN

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 4, 2020, the magistrate judge filed findings and recommendations recommending that certain claims be allowed to proceed while finding other claims were not cognizable as plead. (Doc. No. 17.) Plaintiff previously filed a notice of his willingness to proceed on the complaint as screened and to dismiss the claims deemed non-cognizable. (Doc. No. 13.) Plaintiff has not filed objections to the findings and recommendations.

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1 The court has reviewed the file and finds the findings and recommendations to be  
2 supported by the record and by the magistrate judge's analysis. Accordingly, the court orders as  
3 follows:

- 4 1. The findings and recommendations filed December 4, 2020 (Doc. No. 17), are  
5 adopted in full;
- 6 2. This case shall proceed on an Eighth Amendment medical indifference claim and a  
7 state medical malpractice claim against Registered Nurse Ernest Ziegler. All other claims and  
8 defendants are dismissed; and
- 9 3. This case shall remain open.

10 IT IS SO ORDERED.

11 Dated: March 7, 2021

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14 UNITED STATES DISTRICT JUDGE  
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